

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

STEPHEN J. FEIN, on behalf of )	
himself and all others )	07-CV-3312 (PAC)
similarly situated, )	
Plaintiff, )	
v. )	
)	
ELAINE CHAO, Secretary, )	
United States Department )	
of Labor, )	
Defendant. )	

*DECLARATION OF EDWARD DUNCAN*

Edward Duncan, Deputy Director for Federal Employees' Compensation, Office of Workers' Compensation Programs, United States Department of Labor, pursuant to 28 U.S.C. § 1746, hereby declares and states that:

1. I am the Deputy Director for Federal Employees' Compensation, Office of Workers' Compensation Programs ("OWCP"), United States Department of Labor ("DOL"), Washington, D.C. and in that capacity am familiar with the actions of the OWCP regarding claims for compensation under the Federal Employees' Compensation Act ("FECA"), 5 U.S.C. § 8101 et seq. I have reviewed and I am familiar with the documents attached hereto.
2. Attached hereto as Exhibit A is a true and correct copy of the Federal Employees' Notice of Traumatic Injury and Claim for Continuation of Pay/Compensation submitted by plaintiff Stephen J. Fein ("Mr. Fein" or "plaintiff").
3. Attached hereto as Exhibit B is a true and correct copy of a

letter from Pat Rush, OWCP Claims Examiner, to Mr. Fein, dated October 17, 1988.

4. Attached hereto as Exhibit C is a true and correct copy of a letter from Pat Rush, OWCP Claims Examiner, to Mr. Fein, dated November 16, 1988.

5. Attached hereto as Exhibit D is a true and correct copy of a letter sent by Kenneth D. Hamlett, Regional Director, to the Honorable Alfonse M. D'Amato, dated October 6, 1993.

6. Attached hereto as Exhibit E is a true and correct copy of a letter from Kenneth D. Hamlett, Regional Director, to the Honorable Peter T. King, dated September 18, 1997.

7. Attached hereto as Exhibit F is a true and correct copy of a letter sent by Jacob Rollings to Shelby Hallmark, Director, OWCP, dated October 25, 2006.

8. Attached hereto as Exhibit G is a true and correct copy of a letter from Zev C. Sapir, District Director, to Jacob Rollings, dated November 17, 2006.

9. Attached hereto as Exhibit H is a true and correct copy of a letter from Jacob Rollings to Zev C. Sapir, District Director, dated December 19, 2006, with authorization form.

10. Attached hereto as Exhibit I is a true and correct copy of a letter from Zev C. Sapir, District Director, to Jacob Rollings, dated February 8, 2007.

11. Attached hereto as Exhibit J is a true and correct copy of a letter from Zev C. Sapir, District Director, to Mr. Fein, dated February 8, 2007.

12. Attached hereto as Exhibit K is a true and correct copy of a letter from Jacob Rollings to Zev C. Sapir, District Director, dated March 9, 2007.

13. Attached hereto as Exhibit L is a true and correct copy of a letter from Stephanie L. Semmer, Branch Chief, Technical Assistance, Federal Employees' Compensation, to Mr. Fein, dated April 2, 2007.

14. Attached hereto as Exhibit M is a true and correct copy of a letter from Stephanie L. Semmer, Branch Chief, Technical Assistance, Federal Employees' Compensation, to Jacob Rollings, dated April 2, 2007.

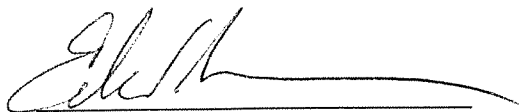
15. Attached hereto as Exhibit N is a true and correct copy of a letter from Serena Frasier, OWCP Claims Examiner, to Mr. Fein, dated June 18, 2007.

16. Attached hereto as Exhibit O is a true and correct copy of a letter from Jacob Rollings to Serena Frasier, OWCP Claims Examiner, dated July 15, 2007.

17. Attached hereto as Exhibit P is a Notice of Decision sent by letter from David Parks, OWCP Senior Claims Examiner, to Mr. Fein, dated July 25, 2007, with documentation regarding appeal rights.

I declare under penalty of perjury that the foregoing is true and correct.

Dated this <sup>7<sup>th</sup></sup>30 day of August, 2007.

A handwritten signature in dark ink, appearing to read 'Ed Duncan', is written over a horizontal line.

Edward Duncan  
Deputy Director for FEDERAL EMPLOYEES'  
COMPENSATION OWCP